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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,771	08/18/2003	Bjarne Frederiksen	00831-0064US	3661

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WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 W. MADISON STREET
SUITE 3800
CHICAGO, IL 60661

EXAMINER

NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/642,771

Applicant(s)

FREDERIKSEN ET AL.

Examiner

Hung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/18/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21, 23 & 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden (U.S. 5,154,072) in view of Harriett (U.S. 5,167,245).

Regarding claim 21, Leyden discloses a method of securing an object to be monitored (10) [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47] comprising:

- a flexible cable (14) having a length [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47];
- a connector for connecting between the cable (14) & the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.3, lines 58-66, col.4, lines 39-47 and col.5, lines 34-51];
- the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47];
- the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47].

The reference of Leyden does not specifically mention a connector having at least opening therethrough to define a closed loop with a variable diameter as claimed by the applicant.

As we mention earlier that Leyden clearly discloses the method having the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47];

- the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47] without mention a closed loop with a variable diameter because it an obvious design choice of the skilled artisan, it can be any form or shape but the primary of the invention is to secured to object from theft.

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Leyden for providing the same function as desired as a lasso for securing an object to be monitored at all time.

Regarding claim 23, Leyden discloses the cable (14) having a first end and second end which cause a closed loop (82) by the connector & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47] which can not withdraw from the first loop (82).

Regarding claim 25, It is seen the body connector / a structure (80) for securing a garment is a flat plate is disclosed by Leyden [figs.1-2, col.4, lines 39-47].

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3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden (U.S. 5,154,072) in view of Israel et al. (U.S. 4,746,909).

Regarding claim 26, The reference of Leyden does not mention the cable lock (12) is connected to an alarm system as detecting the cable (14) is cut / interrupted signal.

Israel teaches an electronic security system is used in loop sensors for detecting the cable is cut / interrupted signal in articles of clothing having an alarm device as sensing the act stealing [fig.2, col.4, lines 11-16 and col.7, lines 49-56].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Israel includes alarm device feature in the system of Leyden for monitoring the theft condition.

4. Claims 1-7, 10, 12, 15-16, 18, 20, 22 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden (U.S. 5,154,072) in view of Gerlach (U.S. 5,020,192).

Regarding claim 1, Leyden discloses a method of securing an object to be monitored (10) [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47] comprising:

- a flexible cable (14) having a length [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47];
- a connector for connecting between the cable (14) & the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.3, lines 58-66, col.4, lines 39-47 and col.5, lines 34-51];
- the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47];
- the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47].

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The reference of Leyden does not specifically mention a connector having at least opening therethrough to define a closed loop with an effective diameter & the cable has U shaped as claimed by the applicant.

As we mention earlier that Leyden clearly discloses the method having the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47]; the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47] without mention a closed loop with a variable diameter because it an obvious design choice of the skilled artisan, it can be any form or shape but the primary of the invention is to secured to object from theft.

Futhermore, Gerlach teaches an adjustable tie down apparatus having a cable (22) which contains closed loop & U shaped as fastening & securing the object (44) [figs.1,10, col.3, lines 44-52, col.6, lines 39-58 and col.8, lines 3-24].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Gerlach in the system of Leyden for guarding an object to be monitored at all time by using lasso with U shaped.

Regarding claim 2, Leyden the flexible cable (14) having a fixed support is inherently [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47].

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Regarding claims 3 & 7, Leyden discloses the cable (14) having a first end and second end which cause a closed loop (82) by the connector & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47] which can not withdraw from the first loop (82) and can be removed by a user as desired.

Regarding claim 4, It is seen the body connector / a structure (80) for securing a garment is a flat plate is disclosed by Leyden [figs.1-2, col.4, lines 39-47].

Regarding claims 5-6 & 12, Gerlach teaches the adjustable tie down apparatus having a cable (22) which contains closed loop with opening & U shaped as fastening & securing the object (44) can be seen in fig.1.

Regarding claim 10, Leyden the flexible cable (14) having a fixed support is inherently [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47].

Regarding claim 15, Leyden discloses a lasso for securing an object to be monitored (10) [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47] comprising:

- a flexible cable (14) having a length [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47];
- a connector for connecting between the cable (14) & the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.3, lines 58-66, col.4, lines 39-47 and col.5, lines 34-51];
- the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47];

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- the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47].

The reference of Leyden does not specifically mention a connector having at least opening therethrough to define a closed loop with an effective diameter & the cable has U shaped as claimed by the applicant.

As we mention earlier that Leyden clearly discloses the method having the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47]; the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47] without mention a closed loop with a variable diameter because it an obvious design choice of the skilled artisan, it can be any form or shape but the primary of the invention is to secured to object from theft.

Futhermore, Gerlach teaches an adjustable tie down apparatus having a cable (22) which contains closed loop & U shaped as fastening & securing the object (44) [figs.1,10, col.3, lines 44-52, col.6, lines 39-58 and col.8, lines 3-24].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Gerlach in the system of Leyden for guarding an object to be monitored at all time by using lasso with U shaped.

Regarding claim 16, Leyden discloses the cable (14) having a first end and second end which cause a closed loop (82) by the connector & connect to the cable lock (12) / a structure (80) for

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securing a garment [figs.1-2, col.4, lines 39-47] which can not withdraw from the first loop (82) and can be removed by a user as desired.

Regarding claim 18, Leyden the flexible cable (14) having a fixed support is inherently [figs.1-2, col.3, lines 33-41 and col.4, lines 39-47].

Regarding claim 20, Gerlach teaches the adjustable tie down apparatus having a cable (22) which contains closed loop with opening & U shaped as fastening & securing the object (44) can be seen in fig.1.

Regarding claim 22, The reference of Leyden does not specifically mention the cable has U shaped as claimed by the applicant.

As we mention earlier that Leyden clearly discloses the method having the cable (14) having a first end and second end which cause a closed loop (82) & connect to the cable lock (12) / a structure (80) for securing a garment [figs.1-2, col.4, lines 39-47]; the cable (14) is used for at least two loops (82, 84) to connect to the cable lock (12) / the structure (80) for securing a garment [figs.1-2, col.4, lines 39-47] without mention a closed loop with a variable diameter because it an obvious design choice of the skilled artisan, it can be any form or shape but the primary of the invention is to secured to object from theft.

Futhermore, Gerlach teaches an adjustable tie down apparatus having a cable (22) which contains closed loop & U shaped as fastening & securing the object (44) [figs.1,10, col.3, lines 44-52, col.6, lines 39-58 and col.8, lines 3-24].

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Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Gerlach in the system of Leyden for guarding an object to be monitored at all time by using lasso with U shaped.

Regarding claim 24, Gerlach teaches the adjustable tie down apparatus having a cable (22) which contains closed loop with opening & U shaped as fastening & securing the object (44) can be seen in fig.1.

5. Claims 8 & 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden (U.S. 5,154,072) in view of Gerlach (U.S. 5,020,192) further in view of Harriett (U.S. 5,167,245).

Regarding claims 8 & 13-14, Both Leyden & Gerlach do not specifically mention the cable having a braided cable/ non metal material.

Harriett teaches a holding device having a braided cable as a loop clamp (6) which can be made from metal and non metal material for holding an object [fig.s1-2, col.2, lines 51-58].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Gerlach & Harriett includes braided cable feature in the system of Leyden for holding the object in securing position.

6. Claims 9, 11, 17 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden (U.S. 5,154,072) in view of Gerlach (U.S. 5,020,192) further in view of Israel et al. (U.S. 4,746,909).

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Regarding claims 9 & 11, The reference of Leyden Gerlach do not mention the cable lock (12) is connected to an alarm system as detecting the cable (14) is cut / interrupted signal.

Israel teaches an electronic security system is used in loop sensors for detecting the cable is cut / interrupted signal in articles of clothing having an alarm device as sensing the act stealing [fig.2, col.4, lines 11-16 and col.7, lines 49-56].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Israel includes alarm device feature in the system of Leyden & Gerlach for monitoring the theft condition.

Regarding claims 17 & 19, The reference of Leyden Gerlach do not mention the cable lock (12) is connected to an alarm system as detecting the cable (14) is cut / interrupted signal.

Israel teaches an electronic security system is used in loop sensors for detecting the cable is cut / interrupted signal in articles of clothing having an alarm device as sensing the act stealing [fig.2, col.4, lines 11-16 and col.7, lines 49-56].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Israel includes alarm device feature in the system of Leyden & Gerlach for monitoring the theft condition.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

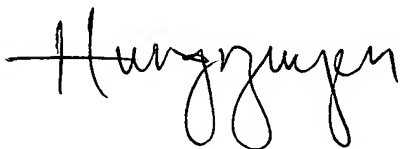
- Devereaux (U.S. 4,132,987) Security system.
- Wilkinson et al. (U.S. 4,985,695) Computer security device.
- Rothbaum et al. (U.S. 5,561,417) Security device for merchandise and the like.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to read 'Hung T. Nguyen', with a stylized, cursive script.

Examiner: Hung T. Nguyen

Date: Oct. 27, 2004